

NEW YORK  
New York Office  
250 Liberty Avenue, Suite 1700  
New York, NY 10019  
Tel: 212 307 5200 Fax: 212 307 5201  
E-mail: info@melfishlaw.com  
www.melfishlaw.com

# McELFISH LAW FIRM

LAW CORPORATION



WWW.McELFISHLAW.COM

Raymond J. McElfish  
Thomas A. Gorman  
Jeffrey C. Fagan  
Stephen G. Nathan-Polansky  
Doreen T. L. L. L.  
Margaret A. Voss  
Steven D. L. L. L.  
Alexis D. L. L. L.  
Robert L. L. L. L.  
Michael A. L. L. L.  
L. L. L. L. L. L. L.  
L. L. L. L. L. L. L.

July 17, 2008 SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 7-18-08

**Via facsimile to (212) 805-6382**

Honorable Victor Marrero  
US District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Total Quality Logistics, Inc. v. Bolivar Insurance and Real  
Estate, Inc. and Canal Insurance Company

Your Claim No.: C41863

Our file: 33-111

07 CV 3731

Dear Judge Marrero:

We represent Canal Insurance Company, in the above-referenced matter. On July 15, 2008, the Court scheduled a settlement conference hearing for 2:30 p.m. on July 25, 2008 at the request of plaintiff's counsel.

The undersigned and representative for Canal Insurance will be available for the settlement conference. However, Canal's claim file handler relative to this claim lives and works in Greenville, South Carolina. As such, requiring a Canal representative to appear in person would be extremely costly. The Canal representative handling the file would be more than willing to appear by telephone and is as hopeful as anyone that this matter can be resolved through settlement. Also, the undersigned is currently working from home while on maternity leave. While another attorney from our firm could appear in person, because I am the attorney most familiar with this action, we feel that the conference would be most productive if I were permitted to appear by telephone. Therefore, Canal Insurance Company respectfully requests that its principal representative and counsel be granted permission to attend the conference by telephone.

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Accordingly, Canal Insurance respectfully requests permission for its counsel and representative to attend the July 25, 2008 hearing telephonically.

We thank the court for its attention to this matter.

Very truly yours,

McELFISH LAW FIRM

  
By: Teresa A. Gruber, Esq.


cc: **Via facsimile: (513) 579-6457**  
Charles M. Miller, Esq.  
Keating Muething & Klekamp PLL  
Attorneys for Defendant's Total Quality Logistics

**Via facsimile: (516) 877-2230**  
Lisa A. Scognamillo, Esq.  
Badiak & Will, LLP  
Attorneys for Plaintiff

**Via facsimile: (973) 643-6500**  
Bennet Susser, Esq.  
Sills Cummis & Gross, P.C. (NJ)  
Attorneys for Defendant Hill's Trucking Inc.

**Via facsimile: (201) 886-0111**  
Sukjin Henry Cho, Esq.  
Park & Cho, P.C.  
Attorneys for Defendant total Quality Logistics, Inc.

**Via facsimile: (212) 832-3155**  
Stephen C. Cunningham, Esq.  
Lustig & Brown  
Attorneys for Third-Party Defendant,  
Bolivar Insurance & Real Estate Inc.

<i>Request DENIED. The Court previously denied a similar request by Plaintiff Total Quality Logistics. The same reasons apply to defendant's request.</i>	
SO ORDERED:	
<i>2-17-08</i>	
DATE	VICTOR MARRERO, U.S.D.J.